

**§ 782. National defense considerations; public interest; qualification of transferee; disqualification of aliens**

No transfer under this subchapter may be made unless the Secretary of Defense or his designees determines that—

- (1) the United States does not need to retain the property involved in the transfer for national defense purposes;
- (2) the transfer is in the public interest;
- (3) the person to whom the transfer is made is prepared and qualified to provide, without interruption, the communication service involved in the transfer; and
- (4) the long-lines communication facilities will not directly or indirectly be owned, operated, or controlled by a person who would legally be disqualified by section 310(a) of title 47, from holding a radio station license.

(Pub. L. 90-135, title II, §202, Nov. 14, 1967, 81 Stat. 443.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 781 of this title.

**§ 783. Agreements for transfer; services without interruption, change of rates and charges, and finality of transfer**

The agreements by which a transfer is made under this subchapter shall include a provision that—

- (1) the person to whom the transfer is made shall, subject to the rules and regulations of any body or commission established by the State of Alaska to govern and regulate communications services to the public and of the Federal Communications Commission and all applicable statutes, treaties, and conventions, provide without interruption, the communication services involved in the transfer, except those services reserved by the United States in the transfer;
- (2) the rates and charges for such services applicable at the time of transfer shall not be changed for a period of one year from the date of such transfer unless approved by a governmental body or commission having jurisdiction; and
- (3) the transfer will not be final unless and until the transferee shall receive any requisite licenses and certificates of convenience and necessity to operate interstate and intrastate commercial communications in Alaska from the appropriate governmental regulatory bodies.

(Pub. L. 90-135, title II, §203, Nov. 14, 1967, 81 Stat. 443.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 784 of this title.

**§ 784. Approval of Federal Communications Commission**

Transfers under this subchapter do not require the approval of the Federal Communications Commission except to the extent that the approval of the Federal Communications Commission is necessary under section 783(3) of this title.

(Pub. L. 90-135, title II, §204, Nov. 14, 1967, 81 Stat. 443.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 781 of this title.

**§ 785. Gross proceeds as miscellaneous receipts in the Treasury**

Notwithstanding the provisions of any other law, the gross proceeds of each transfer shall be covered into the Treasury of the United States as miscellaneous receipts.

(Pub. L. 90-135, title II, §205, Nov. 14, 1967, 81 Stat. 443.)

**§ 786. Reports to President and Congress**

The Secretary of Defense or his designee shall report to the Congress and the President—

- (1) in January of each year, the actions taken under this subchapter during the preceding twelve months; and
- (2) not later than ninety days after completion of each transfer under this subchapter a full account of that transfer.

(Pub. L. 90-135, title II, §206, Nov. 14, 1967, 81 Stat. 443.)

SUBCHAPTER III—MISCELLANEOUS PROVISIONS

**§ 791. Communications Act of 1934; nonmodification**

This chapter does not modify in any manner the provisions of the Communications Act of 1934, as amended [47 U.S.C. 151 et seq.].

(Pub. L. 90-135, title III, §301, Nov. 14, 1967, 81 Stat. 444.)

REFERENCES IN TEXT

The Communications Act of 1934, as amended, referred to in text, is act June 19, 1934, ch. 652, 48 Stat. 1064, as amended, which is classified principally to chapter 5 (§151 et seq.) of Title 47, Telegraphs, Telephones, and Radiotelegraphs. For complete classification of this Act to the Code, see section 609 of Title 47 and Tables.

**§ 792. Authorization of appropriations**

There are authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 90-135, title III, §302, Nov. 14, 1967, 81 Stat. 444.)

**CHAPTER 17A—ALASKA FEDERAL-CIVILIAN ENERGY EFFICIENCY SWAP**

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795b.	Purchase of electric power; authority; applicable criteria.
795c.	Implementation powers and limitations. <ol style="list-style-type: none"> <li>(a) Accommodation of needs of non-Federal person for electric energy.</li> <li>(b) Availability of revenues from sales.</li> <li>(c) Exercise of authorities.</li> <li>(d) Negotiation and execution of contracts and other agreements.</li> </ol>
795d.	Repealed.

**§ 795. Definitions**

As used in this chapter—

(1) The term “non-Federal electric energy” means electric energy generated by any facility other than a federally owned electric generating facility.

(2) The term “agency” means the head of any department, agency, or instrumentality of the United States.

(3) The term “federally generated electric energy” means any electric power generated by an electric generating facility owned and operated by an agency.

(4) The term “non-Federal person” means any corporation, cooperative, municipality, or other non-Federal entity which generates non-Federal electric energy.

(Pub. L. 96-571, § 2, Dec. 22, 1980, 94 Stat. 3341.)

**SHORT TITLE**

Section 1 of Pub. L. 96-571 provided that: “This Act [enacting this chapter] shall be referred to as the ‘Alaska Federal-Civilian Energy Efficiency Swap Act of 1980.’”

**§ 795a. Sale of electric energy; contracting authority; required determinations; pricing policies**

(a) For the purposes of conserving oil and natural gas and better utilizing coal, any agency is authorized to sell to any non-Federal person, and to enter into contracts for the sale to any non-Federal person of, electric energy generated by coal-fired electric generating facilities of such agency in Alaska without regard to any provision of law which precludes such sale where such energy is available from other local sources, if the agency determines that—

(1) such energy is generated by an existing coal-fired generating facility;

(2) such energy is surplus to such agency’s needs and is in excess of the electric energy specifically generated for consumption by, or necessary to serve the requirements of, any department, agency, or instrumentality of the United States;

(3) the costs to the ultimate consumers of such energy is less than the costs which, in the absence of such sale, would be incurred by such consumers for the purchase of an equivalent amount of energy; and

(4) such sale will result in a reduction in the total consumption of oil or natural gas by the non-Federal person purchasing such electric energy below that consumption which would occur in the absence of such sale.

(b) Federally generated electric energy sold by an agency as provided in subsection (a) of this section shall be priced to recover the fuel costs and variable operation and maintenance costs of the Federal generating facility concerned which costs are attributable to such sale, plus an amount equal to one-half the difference between—

(1) the costs of producing the electric energy by coal generation, and

(2) the costs of producing electric energy by the oil or gas generation being displaced.

(Pub. L. 96-571, § 3, Dec. 22, 1980, 94 Stat. 3341.)

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 795c of this title.

**§ 795b. Purchase of electric power; authority; applicable criteria**

For purposes of economy and efficiency and conserving oil and natural gas, whenever practicable and consistent with other laws applicable to any agency and whenever consistent with the requirements applicable to any agency, such agency shall endeavor to purchase electric power from any non-Federal person for consumption in Alaska by any facility of such agency where such purchase—

(1) will result in a savings to other consumers of electric energy sold by such non-Federal person without increasing the cost incurred by any agency for electric energy, or

(2) will result in a cost savings to such agency of electric energy without increasing costs to other consumers of electric energy,

taking into account the remaining useful life of any facility available to such agency to generate electric energy for such agency and the cost of maintaining such facility on a standby basis.

(Pub. L. 96-571, § 4, Dec. 22, 1980, 94 Stat. 3342.)

**§ 795c. Implementation powers and limitations****(a) Accommodation of needs of non-Federal person for electric energy**

Nothing in this chapter shall be construed as requiring or authorizing any department, agency, or instrumentality of the United States to construct any new electric generating facility or related facility, to modify any existing facility, or to employ reserve or standby equipment in order to accommodate the needs of any non-Federal person for electric energy.

**(b) Availability of revenues from sales**

Revenues received by any agency pursuant to section 795a of this title from the sale of electric energy generated from any facility of such agency shall be available to the agency without fiscal year limitation for the purchase of fuel and for operation, maintenance, and other costs associated with such facility.

**(c) Exercise of authorities**

The authorities of this chapter shall be exercised for such periods and pursuant to such terms and conditions as the agency concerned deems necessary consistent with the provisions of this chapter and consistent with its responsibilities under other provisions of law.

**(d) Negotiation and execution of contracts and other agreements**

All contracts or other agreements executed under this chapter, notwithstanding any other provision of law, shall be negotiated and executed by the agency selling or purchasing electric energy under this chapter.

(Pub. L. 96-571, § 5, Dec. 22, 1980, 94 Stat. 3342.)

**§ 795d. Repealed. Pub. L. 105-362, title IV, § 401(g), Nov. 10, 1998, 112 Stat. 3282**

Section, Pub. L. 96-571, § 6, Dec. 22, 1980, 94 Stat. 3342; Pub. L. 103-437, § 14(c), Nov. 2, 1994, 108 Stat. 4591, relat-

ed to biennial reports by Secretary of Energy on action taken by agencies pursuant to this chapter.

## CHAPTER 18—NATIONAL VISITOR CENTER FACILITIES; UNION STATION REDEVELOPMENT; CAPITOL GUIDE SERVICE

### SUBCHAPTER I—UNION STATION

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### SUBCHAPTER I—UNION STATION

#### SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 821 of this title.

#### PART A—NATIONAL VISITOR CENTER

##### PART REFERRED TO IN OTHER SECTIONS

This part is referred to in sections 811, 813, 819 of this title.

## **§ 801. National Visitor Center; designation; parking facility; authorization of agreements and leases for use of Union Station**

The Secretary of the Interior (hereafter in this chapter referred to as the “Secretary”), in consultation with the Administrator of General Services (hereafter in this chapter referred to as the “Administrator”), is authorized to negotiate and enter into agreements and leases with The Washington Terminal Company, its successors or assigns (hereafter in this chapter referred to as the “Company”), the owner of the property in the District of Columbia known as Union Sta-